

Message Text

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NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 ACDA-19 IO-14 SAJ-01 NIC-01 CU-04 DRC-01 /143 W

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R 301902Z NOV 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 9015

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION BERLIN

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C O N F I D E N T I A L SECTION 01 OF 02 BONN 17312

NOFORN

E.O. 11652: GDS

TAGS: PFOR, GW, GE, WB

SUBJECT: RECENT FRG/GDR NEGOTIATIONS: NO PROGRESS

EVIDENT

REF: BONN 16744

1. SUMMARY: FRG CHANCELLERY REP INFORMED EMBOFF /NOVEMBER 29 OF RECENT FRG/GDR CONTACTS ON THE MATTERS OF THE EXCHANGE OF PERMANENT MISSIONS AND A CULTURAL AGREEMENT. DESPITE SOME PRESS REPORTS TO THE CONTRARY, OUR SOURCE SAID THERE IS AS YET NO SIGN OF ANY GDR READINESS TO BE FORTHCOMING IN EITHER OF THESE AREAS. CHANCELLERY REP EXPRESSED SOME PERSONAL CONCERN THAT PRESSURES FROM CHANCELLOR BRANDT AND OTHER SPD LEADERSHIP CIRCLES MIGHT LEAD FRG TO MAKE SOME CONCESSIONS TO GDR IN ORDER TO GET THE PERMANENT MISSIONS SET UP. END SUMMARY.

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2. CHANCELLERY REP, WHO PARTICIPATED IN TALKS BETWEEN

FRG AND GDR DELEGATIONS IN EAST BERLIN NOVEMBER 27 AND 28, BRIEFED EMBOFF FULLY AND IN STRICT CONFIDENCE ON THE TWO DAYS' TALKS. DELEGATIONS, LED FOR FIRST TIME BY GAUS (FRG) AND NIER (GDR) AS SUCCESSORS TO BAHR AND KOHL, FOCUSED FIRST DAY ON CULTURAL AGREEMENT AND, ON SECOND DAY, ON VEXING PERMANENT MISSIONS QUESTION.

3. THE FIRST ROUND OF TALKS ON A CULTURAL AGREEMENT SAW THE GDR TAKE THE POSITION THAT NEGOTIATIONS COULD ONLY BEGIN SERIOUSLY ONCE THERE WAS AGREEMENT THAT ALL CULTURAL OBJECTS IN EACH GERMAN STATE BE RETURNED TO THE PLACE FROM WHICH THEY HAD BEEN REMOVED IN THE NAZI OR IMMEDIATE POSTWAR PERIOD. OUR SOURCE NOTED THAT THIS WOULD MEAN THAT ABOUT 90 PER CENT OF THE ART OBJECTS UNDER THE CONTROL OF THE STIFTUNG PREUSSISCHER KULTURBESITZ IN WEST BERLIN WOULD HAVE TO BE RETURNED TO EAST GERMANY.

4. CHANCELLERY REP THOUGHT THE FEDERAL GOVERNMENT WOULD FIND ITSELF IN A DIFFICULT POSITION IF THIS EAST GERMAN APPROACH WERE MAINTAINED. ALTHOUGH THE FRG'S LEGAL CLAIM TO THESE OBJECTS WAS THEORETICALLY SOUND, ITS MORAL CLAIM WAS PROBABLY LESS STRONG. HE SAID THE FRG SIDE HAD EXPECTED THIS TACTICAL MOVE FROM THE GDR BUT NOT SO EARLY IN THE TALKS. THE FRG DELEGATION WAS INCLINED TO THINK THAT THE GDR WAS THEREBY INDICATING ITS LACK OF INTEREST IN CONCLUDING ANY EARLY CULTURAL AGREEMENT. THERE WERE ALSO INDICATIONS THAT THE GDR WOULD BE DIFFICULT ON THE QUESTION OF INCLUDING ANY BERLIN CLAUSE IN AN EVENTUAL AGREEMENT.

5. THE FRG DELEGATION IS PRESENTLY CONSIDERING HOW NEXT TO PROCEED. CURRENT THINKING IS TO PROPOSE A JOINT COMMISSION TO CONSIDER THE MATTER OF RETURN OF CULTURAL OBJECTS AND TO TRY TO HAVE IT MOVE AHEAD IN PARALLEL WITH THE NEGOTIATIONS ON THE OTHER ASPECTS OF THE CULTURAL AGREEMENT.

6. IN THE TALKS ON THE PERMANENT MISSIONS, GAUS PROPOSED A PACKAGE DEAL WHICH BAHR ORIGINALLY SET FORTH

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TO KOHL DURING THE LATTER'S VISIT TO BONN LAST WEEK TO LMK AT SITES FOR A MISSION. THE PACKAGE CONSISTS OF SEVERAL ELEMENTS, SOME OF WHICH ARE ALREADY AGREED OR ALMOST-AGREED (E.G. NOMENCLATURE OF MISSIONS, MANNER OF ACCREDITATION, HANDLING OF AGREEMENTS). THE DIFFICULT ELEMENTS REMAINING CONCERN THE BASIS FOR THE OPERATIONS OF THE MISSIONS (FRG WANTS ABRIDGED VERSION OF VIENNA CONVENTION, GDR WANTS WHOLE THING), FUNCTIONS OF MIS-

SIONS (FRG WANTS THESE SPELLED OUT, GDR WANTS THEM
SUBSUMED UNDER VIENNA CONVENTION RUBRIC), AND FINALLY,
THE QUESTION OF THE BODY WITH WHICH THE MISSIONS ARE TO
HAVE THEIR ESSENTIAL DEALINGS (FRG WANTS CHANCELLERY AND
COUNCIL OF MINISTERS, GDR WANTS THE FOREIGN MINISTRIES).

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7. THE CHANCELLERY REP SAID THE FRG SIDE HAD INDICATED
A READINESS TO BARGAIN ON THE LATTER POINT, I.E. WHO
DEALS WITH WHOM, IN EXCHANGE FOR ASSURANCE THAT THE FRG
MISSION COULD REPRESENT WEST BERLINERS, BOTH NATURAL
AND JURIDICAL RESIDENTS, IN EAST BERLIN AND THE GDR.
THE GDR SIDE HAD SHOWN LITTLE INCLINATION TO ACCEPT THIS
DEAL, AND OUR SOURCE WAS SKEPTICAL THAT MUCH PROGRESS
WOULD BE MADE IN THIS AREA FOR SOME MONTHS. THE GDR
SIDE WAS SHOWING NO SIGNS OF BEING IN A HURRY. (FYI:
THIS DOWNBEAT REPORT CONTRADICTS SOME FAIRLY OPTIMISTI
FRG PRESS REPORTING IN RECENT DAYS, E.G. FRANKFURTER

ALLGEMEINE ZEITUNG OF NOVEMBER 27 END FYI.)

8. OUR CHANCELLERY CONTACT CONCLUDED ON A PERSONAL AND SOMEWHAT SOMBER NOTE. HE SAID PRESSURES WERE MOUNTING IN THE CHANCELLERY AND OTHER SPD CIRCLES TO SHOW THE CONTINUED ATTRACTIVENESS AND VALIDITY OF THE FEDERAL GOVERNMENT'S EASTERN POLICY. HE THOUGHT THESE
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MIGHT WELL LEAD THE FRG TO TRY TO CONCLUDE ARRANGEMENTS FOR ESTABLISHMENT OF THE PERMANENT MISSIONS ON A RAPID BASIS, WITHOUT A REASONABLE BASIS FOR THE FRG MISSION'S OPERATIONS HAVING BEEN ACHIEVED. HE COMMENTED THAT THIS TYPE OF THINKING HAD APPARENTLY LED THE GOVERNMENT TO ADOPT THE RECENT CONCILIATORY APPROACH WITH THE CZECHS ON LEGAL ASSISTANCE (BONN 17156).

9. COMMENT: THE FRG, EVEN IF READY TO COMPROMISE WITH THE GDR ON THE PERMANENT MISSIONS, IS OBVIOUSLY IN FOR DIFFICULT TIMES WITH THE GDR. IF THE CULTURE OF NEGOTIATIONS ARE ANYTHING TO JUDGE BY, THE SEVERAL IMPENDING NEGOTIATIONS WILL ALL BE BURDENED BY THE BERLIN ISSUE AS WELL AS STIFF EAST GERMAN POSITIONS ON OTHER SUBSTANTIVE MATTERS. THE GDR INTENTION TO MAINTAIN A CLEAR SEPARATION FROM THE FRG AND ALL ITS SUPPOSEDLY DELETERIOUS INFLUENCE IS, SEEN FROM HERE, THE PREVAILING ATMOSPHERE IN EAST BERLIN AND WE DO NOT FORESEE THIS CHANGING ANY TIME SOON.

10. NEXT MEETING ON MATTER OF PERMANENT MISSIONS IS SCHEDULED FOR DECEMBER 13 IN EAST BERLIN. NEXT SESSION ON CULTURAL AGREEMENT IS SET FOR JANUARY 10 IN BONN.
HILLENBRAND

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